

Testimony in Support of SJR 36 (Gebhardt) before House FRET Committee

Chair Noonan and members of the House Federal Relations, Energy and Telecommunications Committee. For the record my name is Tom Ebzery, an attorney from Billings representing 4 Colstrip owners in support of the Senate Joint Resolution.

Collectively Puget Sound Energy of Bellevue, Washington, Avista Corporation of Spokane, PacifiCorp and Portland General Electric own a majority interest in the Colstrip Steam Electric Generating Facility at Colstrip, Montana. This is the second largest coal fired plant west of the Mississippi River and its construction in the 70s and 80s along with the attendant transmission lines represented the largest private energy project developed in Montana.

All the companies plus our other owners PPL Montana and NorthWestern Energy are vitally interested in Climate Change issues involving greenhouse gases and it is critical that there is an interim committee monitoring both Congress and the Environmental Protection Agency as they move forward by legislation or rulemaking. Customers in Montana and regionally will be dramatically affected by these activities and if Montana is to have its own programs it needs to be fully cognizant of developments occurring in Washington, D.C. and our region.

Why this resolution at this time? Two other resolutions were introduced and they addressed the subject of climate change differently. SJR 24 by Senator Hawks had many of the principles involved in this legislation but still focused regionally. The Senate felt that was not the vehicle to look at this subject. Representative Phillips originally introduced HB 375 but this was heavily amended and was heavily focused on the Western Climate Exchange, a regional group which appears to be losing steam as a result of the renewed emphasis by the President, Congress and EPA. It also called for a 4 person interim committee. I think the Senate felt that this was too small and only allowing for 6 meetings over the interim was considered to be too limiting to a large topic. In addition it carried an appropriations price tag which as we are seeing can result in bills with good merits vanishing due to costs. We commend Representative Phillips and Senator Hawks for having the legislature keep its eye on the ball but we believe this is the right resolution at the right time.

This bill leaves it up to the legislature to determine whether the EQC or Energy and Telecommunications Interim Committee study the issue with emphasis on the impact of federal decisions on Montana, its generators and its ratepayers. Possible legislation can be recommended and the 2011 legislature can go forward with the recommendations.

We urge your support of SJR 36 and thank Senator Gebhardt for bringing it forward.